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Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: *Promoting Investment in the 3550 – 3700 MHz Band*, GN Docket
No. 17-258

Dear Ms. Dortch:

CenturyLink submits this letter to comment on the proposal recently-filed by the CBRS Coalition.¹ CenturyLink appreciates the group's effort, but the framework needs adjustment if the Commission is to meet its critical goals for rural broadband.

The coalition suggests that the Commission adopt a hybrid licensing approach with five county-based Priority Access Licenses (PALs) and two census tract-based PALs available for each geographic area to be licensed.² CenturyLink agrees with the coalition that the proper use of the spectrum retains census tract as the geographic area for some licenses. CenturyLink also agrees with coalition members that census tract PALs are the best approach for encouraging high-speed broadband service in rural areas. CenturyLink regrettably was unable to sign on to the proposed framework, because a minimum of 40 MHz of licensed spectrum is essential to enable effective deployment of a fixed wireless high-speed broadband service in rural areas, especially one that would meet Connect America Fund Phase II (CAF II) broadband service requirements.

As has been previously noted in this docket, providers who obtain large geographic area-based licenses naturally focus their service deployment on the more populated areas of the licensed geography -- typically leaving the more rural areas with less robust service or even no service at all. CenturyLink also agrees with those who have noted that permitting secondary market

¹ See Ex Parte letter from Barry J. Ohlson, Cox Enterprises, Inc., *et al.*, on behalf of the CBRS Coalition, to Marlene H. Dortch, FCC, filed herein (May 9, 2018).

² See *id.* at 2, 4-5. The coalition also recommends that the PAL license term be seven years and that the licenses be renewable based on performance criteria. *Id.* at 2, 5. CenturyLink has no objection to these elements of the framework.

transactions for larger geographic licenses will not ameliorate the absence of smaller geographic licenses in the first instance. Instead, allowing smaller, more-targeted licensed areas will enable more rapid high-speed broadband deployment to rural areas where broadband network investment is economically more difficult to justify. Accordingly, CenturyLink joins the coalition in urging the Commission to retain at least some PALs at the census tract geographic area and only parts ways in further urging the Commission to retain at least 40 MHz of 3.5 GHz spectrum as licensed on a census tract basis.

This spectrum provides a rare opportunity to help meet the nation's critical need for broadband network investment in difficult-to-serve rural areas that will otherwise remain left behind. The Commission can understand the reason that CenturyLink sees the coalition's proposal as insufficient CenturyLink is actively testing fixed wireless broadband service in the 3.5 – 3.7 GHz band and is evaluating the delivery of wireless broadband speeds of 10Mbps downstream and 1 Mbps upstream. Combining 20 MHz of licensed spectrum with available General Authorized Access (GAA) spectrum is simply not sufficiently reliable to support sustained speeds at peak periods or other times. For CenturyLink, without at least 40 MHz of licensed 3.5 GHz spectrum in rural areas, a fixed wireless solution for CAF II areas seems unworkable. CenturyLink could invest significantly in rural networks based on this technology, but only if sufficient spectrum is available to deliver adequate bandwidth to a sufficient number of households. At present, CenturyLink does not expect that it would participate in any PAL auctions if it could not obtain at least 40 MHz of licensed spectrum in a targeted, rural area and without buildout obligations for a larger geographic area.

Thus, to enable use of 3.5 GHz spectrum for high-speed broadband deployment in rural areas, the Commission should heed the coalition's call to preserve spectrum for rural census tracts, but the Commission should go farther to ensure at least 40 MHz is available for census tract-based licenses in rural areas. Alternatively, if the Commission concludes it can meet its goals by some different approach, it should similarly ensure a provider 40 MHz of 3.5 GHz spectrum in selected rural areas without taking on buildout obligations in a larger, more populated, geographic area.

Fundamentally, as Commissioner O'Rielly explained, if the Commission wants to "ensure that investment and innovation is promoted, that flexible use is permitted, and that the spectrum is attractive to as many users as possible[],"³ then the Commission should adopt a licensing framework that enables use of at least 40 MHz of licensed 3.5 GHz spectrum to deploy high-speed broadband service in targeted rural areas. Doing so will also further the Commission's critical goal, as Chairman Pai has emphasized, of "closing the digital divide and bringing the

³ Statement of Commissioner Michael O'Rielly, 32 FCC Rcd 8071, 8110 (2017), *Promoting Investment in the 3550-3700 MHz Band; Petitions for Rulemaking Regarding the Citizens Broadband Radio Service*, GN Docket No. 17-258; RM-11788, Notice of Proposed Rulemaking and Order Terminating Petitions.

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benefits of the Internet age to all Americans[],” including those in rural areas,⁴ even while simultaneously enabling other innovative, valued, and efficient use of limited spectrum.

Respectfully,

/s/ John E. Benedict

⁴ Remarks of FCC Chairman Ajit Pai at 2 at “Broadband for All” Seminar, Stockholm, Sweden (June 26, 2017).